

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Logemann et al.

Serial No.: to be assigned, a cpa of  
08/812,025

Examiner: to be assigned (previous  
Examiner R. Prouty)

Filed: herewith

Group Art Unit: to be assigned (previously  
1652)

For: TRANSGENIC PATHOGEN-  
RESISTANT ORGANISM

LETTER

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Assistant Commissioner of Patents  
BOX CPA  
Washington, D.C. 20231

SIR:

The application filed herewith is being filed in order to make various references,  
which are of record in the ultimate parent, now United States Patent No. 5,689,045, of record in  
its first divisional. Therefore, this application is being filed prior to the issuance of USSN  
08/812,025, scheduled on September 8, 1998, and, by filing this application, Applicants  
expressly abandon USSN 08/812,025, without prejudice and solely to make the references listed  
in the accompanying disclosure statement of record in this case. Copies of the cited references

may be found in the prosecution history of United States Patent No. 5,689,045.

In view of the short period of time prior to scheduled issuance of USSN 08/812,025, Applicants are concurrently transmitting this letter to Examiner Prouty by telefacsimile.

Please charge any fees which may be due, beyond the \$790 filing fee for which a check is enclosed, to Deposit Account No. 02-4377. Two copies of this paper are enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lisa B. Koler", written over a horizontal line.

Arthur S. Tenser

PTO Reg. No. 18,839

Lisa B. Koler

PTO Reg. No. 35,225

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